

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

AUG 08 2013

JULIA C. DUDLEY, CLERK
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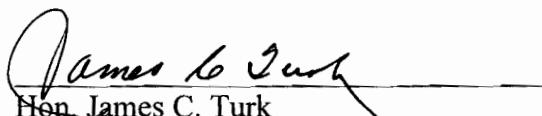
77 CONSTRUCTION COMPANY,)	Civil Action No.: 7:13-cv-340
)	
Plaintiff,)	<u>ORDER</u>
v.)	
)	
UXB INTERNATIONAL, INC.,)	Hon. James C. Turk
)	Senior United States District Judge
Defendant.)	

This matter is before the Court on Plaintiff's Motion to Consolidate, ECF No. 4, in which the Plaintiff requests that the Court consolidate this case with Civil Action No. 7:12cv290. The motion was fully briefed by the parties and was argued before the Court on August 7, 2013. For the reasons set forth in the Memorandum Opinion entered this same day in 7:12cv290, the Motion to Consolidate, ECF No. 4, is **DENIED**.

As discussed at the August 7, 2013 hearing, however, significant discovery has already been conducted between the parties in Civil Action No. 7:12cv290 on many of the same issues that will be relevant in the instant case. In light of this, and under the broad discretion this Court possesses to manage its own docket, the Court concludes that an abbreviated time-period for discovery and pre-trial proceedings in the instant case is appropriate. Accordingly, after the Defendant files its Answer or other responsive pleading in this case, the parties are hereby **ORDERED** to confer and to submit to the Court an agreed-upon proposed scheduling order that will govern discovery and provide pre-trial and trial dates in this case. The proposed order shall include a trial date not later than February 1, 2014. Counsel may contact chambers to obtain available dates for trial.

The Clerk is directed to provide this Order to counsel for Plaintiff and to all attorneys for who have entered an appearance on behalf of UXB International, Inc. in Civil Action No. 7:12cv290.

ENTER: This 8th day of August, 2013.


Hon. James C. Turk
Senior United States District Judge